

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ROBERT ENGELHART,	)	
	)	No. CV-05-3091-MWL
Plaintiff,	)	
	)	ORDER GRANTING JOINT
v.	)	MOTION FOR REMAND
	)	
JO ANNE B. BARNHART,	)	
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 24). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7). After considering the stipulation,

**IT IS ORDERED** that the above-captioned case be remanded for further administrative proceedings. Upon remand, the ALJ shall:

(1) reevaluate the opinion of Roland Dougherty, Ph.D.; (2) reevaluate Plaintiff's past relevant work; (3) reevaluate Plaintiff's ability to do past relevant work at step four; (4) reevaluate Plaintiff's ability to do other work at step five; and (5) obtain additional vocational expert testimony to address the

1 issues at steps four and five. Plaintiff may present new  
2 arguments and further medical evidence, if such evidence becomes  
3 available.

4 This Court hereby reverses the Commissioner's decision under  
5 sentence four of 42 U.S.C. § 405(g) with a remand of the cause to  
6 the Commissioner for further proceedings. *See Melkonyan v.*  
7 *Sullivan*, 501 U.S. 89 (1991).

8 **IT IS FURTHER ORDERED:**

9 1. The parties Joint Motion to Remand (**Ct. Rec. 24**) is  
10 **GRANTED.**

11 2. Judgment shall be entered for the **PLAINTIFF.**

12 3. An application for attorney fees may be filed by  
13 separate motion.

14 4. The District Court Executive is directed to enter this  
15 Order, forward copies to counsel, and thereafter shall **close** this  
16 file.

17 DATED this 14<sup>th</sup> day of June, 2006.

18  
19 S/ Michael W. Leavitt  
20 MICHAEL W. LEAVITT  
UNITED STATES MAGISTRATE JUDGE  
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